

APPENDIX

All the powers and functions set out in the following table are delegated to the Head of Public Protection.
 Authorised Officers have powers and functions delegated to them in accordance with the table:

Statutory Power	Section and Summary/Function	Authorised Officer
Housing Act 2004	S. 11 & 12 Authority to serve Improvement Notices	Private Sector Housing Manager
	S. 16 Authority to revoke or vary Improvement Notices	Housing Renewal Manager Housing Assistance Manager Environmental Health Officers Empty Homes Officers Empty Homes & Regeneration Officers Housing Regeneration Officers
	S. 20 & 21 Authority to serve Prohibition Orders	Private Sector Housing Manager
	S. 23 Authority to suspend Prohibition Orders	Housing Renewal Manager
	S. 25 Authority to revoke or vary Prohibition Orders	Housing Assistance Manager
	S. 31 & Schedule 3 Power to take enforcement action in respect of Improvement Notices and recover expenses	Environmental Health Officers

Statutory Power	Section and Summary/Function	Authorised Officer
Housing Act 2004 continued	S. 28 & 29 Authority to serve Hazard Awareness Notices	Private Sector Housing Manager Housing Renewal Manager Housing Assistance Manager Environmental Health Officers Empty Homes Officers Empty Homes & Regeneration Officers Housing Regeneration Officers
	S. 40 & 41 Authority to carry out emergency remedial action and serve Notice	Private Sector Housing Manager
	S. 42 Authority to recover expenses for emergency remedial action	Housing Renewal Manager
	S. 43 Authority to make, revoke, vary and enforce Emergency Prohibition Orders	Housing Assistance Manager
	S. 46 Authority to make Demolition Orders (see Housing Act 1985 S. 265 below)	Environmental Health Officers
	S. 64, 65, & Schedule 4 Authority to grant or refuse applications for HMO Licences and to include conditions	
	S. 69 Authority to vary HMO Licences	

Statutory Power	Section and Summary/Function	Authorised Officer
Housing Act 2004 continued	S. 70 Authority to revoke HMO Licences	Private Sector Housing Manager
	S. 72 Authority to prosecute for offences	Housing Renewal Manager
	S. 102 Authority to make Interim Management Order	Housing Assistance Manager
	S. 111 Authority to vary Interim Management Order	Environmental Health Officers
	S. 112 Authority to revoke Interim Management Order	
	S. 113 Authority to make Final Management Order	
	S. 49 Power to charge for enforcement action in respect of powers under sections 11, 12, 20, 21, 28, 29, 40, 43 & 46	Private Sector Housing Manager Housing Renewal Manager Housing Assistance Manager Environmental Health Officers Empty Homes Officers Empty Homes & Regeneration Officers Housing Regeneration Officers

Statutory Power	Section and Summary/Function	Authorised Officer
Housing Act 2004 continued	S. 121 Authority to vary Final Management Order	Private Sector Housing Manager
	S. 122 Authority to revoke Final Management Order	Housing Renewal Manager
	S. 133 Authority to make Interim Empty Dwelling Management Order	Housing Assistance Manager
	S. 135 Authority to revoke Interim Empty Dwelling Management Order	Environmental Health Officers
	S. 136 Authority to make Final Empty Dwelling Management Order	
	S. 137 Authority to vary and revoke Final Empty Dwelling Management Order	
	S. 139 Authority to serve Overcrowding Notices	
	S. 144 Authority to vary and revoke Overcrowding Notices	
	S. 235 Power to require documents to be produced	
	S. 255 Authority to issue HMO Declarations	
	S. 256 Authority to revoke HMO Declarations	
	S. 131 & 239 Powers of entry	Private Sector Housing Manager Housing Renewal Manager Housing Assistance Manager Environmental Health Officers Environmental Health/Senior Technical Officers Empty Homes Officers Empty Homes & Regeneration Officers Housing Regeneration Officers

Statutory Power	Section and Summary/Function	Authorised Officer
Housing Act 1985 (as amended)	S. 265 Authority to make Demolition Orders (see Housing Act 2004 S. 46 above)	Private Sector Housing Manager
	S. 270 Authority to serve Notice requiring recovery of possession of building to be demolished	Housing Renewal Manager
	S. 271 Authority to carry out works in default in respect of Demolition Enforcement	Housing Assistance Manager
	S. 273 Authority to serve Notice requiring Cleansing before Demolition	Environmental Health Officers
	S. 274 Authority to permit reconstruction of condemned house	
	S. 275 Authority to substitute demolition with Closing Order	
	S.289 Authority to declare Clearance Area and serve associated notices	
	S. 330 Authority to issue Licence to permit excess numbers	
	S. 335 Authority to serve Notice requiring information on persons sleeping in a dwelling	
	S. 336 Power to require production of rent book	
	S. 338 Notice to abate overcrowding	
	S. 339 Power to prosecute (Sections 324 to 344 incl.)	

Statutory Power	Section and Summary/Function	Authorised Officer
Housing Act 1985 (as amended) continued	S. 337 & 340 Powers of entry	Private Sector Housing Manager Housing Renewal Manager Housing Assistance Manager Environmental Health Officers Environmental Health/Senior Technical Officers Empty Homes Officers Empty Homes & Regeneration Officers Housing Regeneration Officers
Local Government and Housing Act 1989	S.89 Authority to declare a Renewal Area	Service Manager: Housing, Health and Well-Being
	S. 97 Powers of entry	Private Sector Housing Manager Housing Renewal Manager Housing Assistance Manager Environmental Health/Senior Technical Officers Environmental Health Officers Empty Homes Officers Empty Homes & Regeneration Officers Housing Regeneration Officers

Statutory Power	Section and Summary/Function	Authorised Officer
Housing Grants, Construction and Regeneration Act 1996	Part 1 Determination, of applications for Disabled Facilities Grants	Private Sector Housing Manager Housing Renewal Manager Housing Assistance Manager Environmental Health/Senior Technical Officers Environmental Health Officers
The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002	Determination of applications for financial assistance made under the Council's Private Sector Housing Assistance Policy	Private Sector Housing Manager Housing Renewal Manager Housing Assistance Manager Environmental Health/Senior Technical Officers Environmental Health Officers

Statutory Power	Section and Summary/Function	Authorised Officer
Local G'ment Misc. Provisions) Act 1976 (as amended)	S. 16 Authority to serve Notice to obtain particulars of persons interested in land	Private Sector Housing Manager Housing Renewal Manager Housing Assistance Manager Environmental Health Officers Environmental Health/Senior Technical Officers Empty Homes Officers Empty Homes & Regeneration Officers Housing Regeneration Officers
	S.33 Authority to restore or continue the supply of water, gas or electricity.	Private Sector Housing Manager Housing Renewal Manager Housing Assistance Manager Environmental Health Officers
Local Government (Miscellaneous Provisions) Act 1982	S. 29 Authority to serve Notice, undertake works to secure unoccupied buildings and recover expenses	Private Sector Housing Manager Housing Renewal Manager Housing Assistance Manager Environmental Health Officers Empty Homes Officers Empty Homes & Regeneration Officers

Statutory Power	Section and Summary/Function	Authorised Officer
Environmental Protection Act 1990	S. 80 Authority to serve Abatement Notices	Private Sector Housing Manager
	S. 81 & Schedule 3 Powers of Entry	Housing Renewal Manager
	S. 80 & 81 Power to institute proceedings for non-compliance under Sections 80 and 81	Housing Assistance Manager Environmental Health Officers Empty Homes Officers Empty Homes & Regeneration Officers
Environmental Protection Act 1990 continued	S. 5 Authority to carry out works in default	Private Sector Housing Manager
	S. 6 Authority to serve Notice in relation to groups of premises	Housing Renewal Manager
Public Health Act 1936 (as amended)	S. 45 Authority to serve Notice requiring repair of defective closets	Housing Assistance Manager
	S. 50 Authority to serve Notice requiring repairs or emptying of cesspools	Environmental Health Officers
	S. 79 Authority to serve Notice requiring the removal of obnoxious matter	Empty Homes Officers
	S. 287 Authority to enter premises or apply for a Warrant of Entry	Empty Homes & Regeneration Officers
	S. 296 Authority to institute proceedings	
Building Act 1984	S.76 Authority to serve Notice in respect of defective premises	
	S.79 Authority to serve Notice in respect of ruinous or dilapidated buildings or neglected sites	

Statutory Power	Section and Summary/Function	Authorised Officer
Crime and Disorder Act 1998 suppl. By Anti Social Behaviour Act 2003	S.30 Authority to authorize Anti Social Behaviour orders and other legal tools (including application to the Courts for demotion of a Secure Tenancy and to seek possession of a tenancy under a demoted tenancy) in order to combat nuisance in and around multi-tenure estates	Head of Public Protection
Housing Act 1985 as amended by the Housing Acts 1988 & 1996	Part IV (and subsequent amendments in later legislation) Authority to issue notices, commence court proceedings, and make decisions to gain possession of a secure tenancy on one of more of the statutory grounds.	Head of Public Protection
Housing Act 1985	S.2 Authority to grant permission for a mutual exchange or assignment of tenancy. Schedule 3 Authority to withhold consent for a mutual exchange or assignment.	Head of Public Protection
Land Compensation Act 1973 (as amended)	S29 Authority to grant a tenant a home loss payment (HLP) where he/she is displaced from a dwelling in consequence of: (a) The compulsory acquisition of an interest in the dwelling; (b) The making or acceptance of a housing order or undertaking in respect of the dwelling; (c) Where the land has been previously acquired by an authority possessing compulsory powers or appropriated by a local authority and is for the time being held by the authority for the purposes for which it was acquired or appropriated, the carrying out of any improvement to the dwelling or of redevelopment on the land; (d) The making of an order for possession on ground 10 or 10A in part II of Schedule 2 to the Housing Act 1985	Head of Public Protection

Statutory Power	Section and Summary/Function	Authorised Officer
Housing Act 1985 (as amended)	Part V Authority: <ul style="list-style-type: none"> • to approve the sales of Council Dwellings; • to deny the Right to Buy where the terms and conditions of paragraph 11 are not met; • to enter into deeds of rectification for houses sold under the Right to Buy; • to apply service charges to leasehold properties sold under the Right to Buy 	Head of Public Protection
Party Wall Act 1996	Authority to sign Acknowledgement of Party Structure Notices	Head of Public Protection
Housing Act 1985	Schedule 20: S.540 Authority to grant assistance to occupants of defective housing	Head of Public Protection
Housing Act 2004 (as amended)	Authority: <ul style="list-style-type: none"> • to make decisions on the option of re-purchasing properties which are offered back to the Council; • to decide whether the full amount of discount on the sale of a Council house within the 5 year period should be repaid 	Head of Public Protection
Housing Act 1996 as amended by Housing Act 2004	Authority to: <ul style="list-style-type: none"> • grant an Introductory Tenancy; • extend the trial period in relation to an Introductory Tenancy • conduct a review of a decision to extend the trial period of an Introductory Tenancy; • seek possession of a dwelling where there is a breach of an Introductory Tenancy 	Head of Public Protection
Housing Act 1996 Part VII	s.184 Make Inquiries (and decisions relating to) any homeless or threatened with homeless applicant.	Housing Options Officers

Statutory Power	Section and Summary/Function	Authorised Officer
Housing Act 1996 Part VII	s.203 To carry out and determine reviews in relation to homelessness decisions (in relation to matters set out in s.202) in accordance with any relevant guidance or regulation.	Housing Options Manager
Housing Act 1996	To make any decision and take any action under Part VII of the act in relation to any particular homeless applicant.	Housing Options Manager
Common Law and Statute	To sign and issue notices, including Notices to Quit, in relation to any property that is occupied as a consequence of the council's duty to house under Part VII of the Housing Act 1996 and to take any necessary action to gain possession of such a property.	Housing Options Manager